

## **REMARKS/ARGUMENTS**

Applicant responds herein to the Office Action dated December 17, 2004.

Substantively, claims 1 and 2 stand rejected as being anticipated by FR2781525.

Claims 3-6 were objected to as being dependent upon a rejected base claim, but indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Reconsideration is requested in view the amendments to the claims herein and the following remarks.

Responsive to the indicated allowability of claims 3-6, claims 7-10 have been added, with claim 7 including the limitations of original claims 1 and 3. Such subject matter has been indicated as allowable in point 3 of the outstanding Office Action. Dependent claims 8-10 correspond to original dependent claims 4-6 and depend on claim 7. Accordingly, is it submitted that claims 3-10 are in condition for allowance.

Claim 1 has been amended for some minor informalities. Claim 1 recites, in part, an abutment body for a servo-assisted butterfly valve comprising an eccentric member, which is adapted to rotate with respect to the valve body with a predetermined eccentricity about an adjustment axis.

By rotating the abutment body 29 about the axis 31, the eccentric member 35 is caused to rotate thereby varying the position of the abutment surface against which a curved member 28 of the double spring 23 abuts. In this way it is possible to accurately set the position of the abutment surface against which the curved member 28 abuts and therefore the flow of air in the limp-home position. During the production stage, the butterfly valve 1 is disposed in a test bench in which the value of the air flow in the limp-home position is measured in real time; in these circumstances, the angular position of the abutment body 29 is adjusted by rotating the abutment body 29 about the axis 31 until the desired air flow value in the limp-home position is accurately obtained. Preferably, once the angular position of the abutment body 29 has been set, the abutment body 29 is locked with respect to the valve body 2 to prevent any subsequent displacement (typically as a result of the vibrations generated by the operation of the engine).

FR2781525 does not disclose or even suggest an abutment body comprising an eccentric member, which is adapted to rotate with respect to the valve body with a predetermined eccentricity about an adjustment axis. In particular, in FR2781525 the abutment body 22 (*organe*

*d'arrêt 22*) cannot vary its position in order to accurately set the flow of air in the limp-home position. Accordingly, FR2794825 cannot anticipate claim 1.

Moreover, there simply is no valid *prima facie* case of obviousness based on FR2781525 or any of a combination of the cited prior art. In order to reach the invention as claimed by claim 1, one would have to completely disregard the teachings of FR2781525, which does not disclose to vary the position of the abutment body. There would be no suggestion to discard these teachings without using applicant's own disclosure as a template, and no such suggestion can be found in the reference in any event. "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art" MPEP § 2143.03.

As stated above, FR2781525 does not disclose or even suggest an abutment body comprising an eccentric member, which is adapted to rotate with respect to the valve body with a predetermined eccentricity about an adjustment axis. The other references add nothing of relevance to claim 1. Accordingly, claim 1 is allowable. Claims 2-6 depending from claim 1 are also allowable.

As noted above, new claims 7-10 includes all the limitations of original claims 1 and 3.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, U.S. Patent & Trademark Office, P.O. Box 1450, Arlington, Virginia 22313-1450, on March 15, 2005

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